

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

IN RE: NEW ENGLAND)	
COMPOUNDING PHARMACY, INC.)	MDL No. 2419
PRODUCTS LIABILITY LITIGATION)	Dkt. No. 1:13-md-2419-RWZ
_____)	
)	
This Document Relates to:)	
)	
All Suits)	
)	

**The Tennessee Clinic Defendants’
Notice of Joinder in
Saint Thomas Entities’ Motion for Continuance of
Common Issue Fact Discovery Deadline [Dkts. 1849, 1850]**

Saint Thomas Outpatient Neurosurgical Center, LLC; Howell Allen Clinic, a Professional Corporation; John W. Culclasure, MD; Debra V. Schamberg, RN; Specialty Surgery Center, Crossville, PLLC; Kenneth R. Lister, MD; Kenneth Lister, MD, PC; Vaughan Allen, MD; and Donald E. Jones, MD (collectively “the Tennessee Clinic Defendants”) hereby give notice to this honorable Court and all parties that they join in the Saint Thomas Entities’ *Motion for Continuance of Common Issue Fact Discovery Deadline*¹ and request the same relief.

¹ Dkts. 1849, 1850.

As further explanation, the Tennessee Clinic Defendants state:

1. The Tennessee Clinic Defendants are health care provider defendants in numerous lawsuits pending in this MDL.

2. The Tennessee Clinic Defendants are similarly situated to the Saint Thomas Entities in that the PSC seeks to rapidly push a subset of cases against them to trial. However, the Tennessee Clinic Defendants, as set out in various briefs pending presently before the Court, require significant discovery before these cases can be ready for trial.

3. In their *Response to the PSC's Motion for Entry of a Case Management Order Setting an Expedited Trial Date* [Dkt. 1754], the Tennessee Clinic Defendants proposed an extension of the common discovery deadlines and explained the reasons why an extension is necessary and unavoidable. In the Tennessee Clinic Defendants' *Brief Setting Forth Position Regarding Bellwether Selection* [Dkt. 1871], they, again, requested that the common issue discovery deadline be extended.

4. Consistent with the position taken at Dkts. 1754 and 1871, the Tennessee Clinic Defendants hereby join in the separate motion filed by the Saint Thomas Entities to extend the common discovery deadline by 90 days.

Respectfully submitted,

GIDEON, COOPER & ESSARY, PLC

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* Admitted pursuant to MDL Order No. 1.

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CERTIFICATE OF SERVICE

I hereby certify that this document filed through the CM/ECF system will be served electronically to the registered participants identified on the Notice of Electronic Filing and copies will be e-mailed or mailed via regular U.S. mail to those participants identified as unregistered this 22nd day of May, 2015.

/s/ Chris J. Tardio

Chris J. Tardio